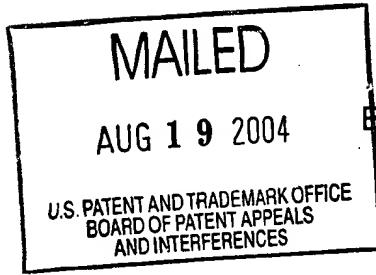


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 13

UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL ANTHONY MARRA
and
BRUCE LANIER WALCOTT

Appeal No. 2004-0871
Application No. 09/226,971

ON BRIEF

Before HARKCOM, *Acting Chief Administrative Patent Judge*, WILLIAM F. SMITH and NASE, *Administrative Patent Judges*.

Per Curiam.

REMAND TO THE EXAMINER

The Office of the Group Director of Technology Center 2100 has requested that this application be remanded to the jurisdiction of the patent examiner so that the issues raised in this appeal can be reconsidered. Accordingly, we *remand*.

If reconsideration by the examiner does not promptly result in the withdrawal of all pending rejections, the examiner must return this application to the jurisdiction of the Board so that the appeal may be restored.

REMANDED

Gary V. Harkcom
GARY V. HARKCOM, Acting Chief)
Administrative Patent Judge)
)
William F. Smith
WILLIAM F. SMITH) BOARD OF PATENT
Administrative Patent Judge) APPEALS AND
) INTERFERENCES
)
Jeffrey V. Nase
JEFFREY V. NASE)
Administrative Patent Judge)

clm

Appeal No. 2004-0871
Application No. 09/226,971

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